

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.624 of 2005

Between:

Asifuddin, S/o. Mohd. Yousufuddin,
R/o. 9-8-429/3/A, Qazi Galli, Golconda, Hyderabad.

..... PETITIONER

AND

The Regional Passport Officer, Clock Towers Secunderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ Order or directions in the nature of mandamus permitting the petitioner to make an application to the Respondent authorities seeking change of Date of Birth in the Passport No. E-8084199 and on such application the Respondent be directed to receive and consider in the light of the circular issued by the Ministry of the External Affairs and consequently an interim direction may be pleased to issue against the Respondent to correct the Date of Birth in the passport from 19.12.1985 to 15-6-1982.

Counsel for the Petitioner: MR.MOHD.QASIM

Counsel for the Respondent: MR.A. RAJASHEKAR REDDY (SC FOR CG)

The Court, at the admission stage, made the following:

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ORDER:

The petitioner, in effect, seeks a direction to the respondent to receive his application and consider it for issuing fresh passport with his correct date of birth as 15.06.1982.

The grievance of the petitioner is that in the passport obtained by him on 15.03.2004 his date of birth was wrongly recorded as 19.02.1985 instead of 15.06.1982 and when he approached the respondent for correction of his date of birth in the passport, the respondent refused to do the same without a direction from the Court. Hence, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent.

The petitioner without filing any application before the respondent for correction of his date of birth in the passport issued to him on 15.03.2004 approached this Court seeking to permit him to file an application before the respondent. This Court cannot grant such permission, since it is always open to the petitioner to approach the respondent-Passport authority for correction of his date of birth in the passport issued to him. Therefore I am of the view that this writ petition is premature one.

In view of the same, the writ petition is dismissed. However, the petitioner is at liberty to approach the respondent-Passport authority for correction of his date of birth in the

passport issued to him on 15.03.2004 under the relevant rules.

N.V. RAMANA, J.

Date: 25.01.2005

Nsr

To

- 1 The Regional Passport Officer, Clock Towers Secunderabad.
- 2. 2CD copies

*Form-NIC-OGS/WP{**RLD**}*